

Exhibit 5

In the Matter Of:

Hammons vs University of Maryland Medical System

1:20-CV-02088-DKC

FATHER LOUIS ASOBI

April 11, 2022



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1 UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF MARYLAND

3 -----x

4 JESSE HAMMONS,)

5 Plaintiff,)

6 V.) Case No.

7 UNIVERSITY OF MARYLAND MEDICAL) 1:20-CV-02088-DKC

8 SYSTEM CORPORATION, et al.,)

9 Defendants.)

10 -----x Pages 1-108

11
12 REMOTE VIDEOTAPED DEPOSITION OF

13 FATHER LOUIS ASOBI

14 Monday, April 11, 2022

15 Towson, MD

16
17
18 Reported by: Sherry L. Brooks

19 Certified LiveNote Reporter

20
21 Job No. J8078715

April 11, 2022

10:03 a.m.

Remote videotaped deposition via Zoom
videoconferencing of Father Louis Asobi at:

Towson, MD

Pursuant to notice, before Sherry L. Brooks,
Certified LiveNote Reporter and Notary Public, in and
for the State of Maryland.

1 ON BEHALF OF PLAINTIFF:

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18
19 ALSO PRESENT:

20 George Ellis, Videographer

C O N T E N T S

EXAMINATION OF FATHER LOUIS ASOBI	PAGE
BY MR. GOLDMAN	6

EXHIBITS	PAGE
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Exhibit 1	Ethical and Religious Directives for	87
	for Catholic Health Care Services	
	Sixth Edition	

Exhibit 2	Transgender Issues in Catholic Health	88
	Care	

(Exhibits attached to transcript.)

P R O C E E D I N G S

- - -

THE VIDEOGRAPHER: We are now on the record. The time is 10:03 Eastern Standard Time on April 11th, 2022. This begins the videoconference deposition of Reverend Louis Asobi taken in the matter of Jesse Hammons versus the University of Maryland Medical System Corporation, et al., filed in the United States District Court for the District of Maryland. The case is number 1:20-CV-02088-DKC.

My name is George Ellis. I am the remote videographer. The court reporter is Sherry Brooks. We are both representing Esquire Deposition Solutions.

Counsel, will you please state your name and who you represent, after which, the court reporter will swear in the witness.

MR. GOLDMAN: Good morning. This is Joshua Goldman from the law firm Patterson Belknap. I represent the plaintiff in this matter, Jesse Hammons.

MS. WIGGER: Good morning. My name is

1 Hannah Wigger from Sheppard Mullin. I represent
2 defendants.

3 - - -

4 This deposition is being held via
5 videoconferencing equipment. The witness and
6 reporter are not in the same room. The witness has
7 been sworn in remotely pursuant to agreement of all
8 parties. The parties stipulate that the testimony is
9 being given as if the witness was sworn in person.

10 * * * * *

11 FATHER LOUIS ASOBI

12 was called for examination by counsel and, after
13 having been duly sworn by the Notary, was examined
14 and testified as follows:

15 EXAMINATION BY COUNSEL FOR PLAINTIFF

16 BY MR. GOLDMAN:

17 Q. Good morning, Father Asobi.

18 A. Good morning. How are you?

19 Q. I'm good. How are you, sir?

20 A. I'm doing well, thank you.

21 Q. Thank you for taking the time to answer my
22 questions this morning.

1 Q. Okay. Thank you.

2 Do you have any other professional
3 licenses or training?

4 A. No, I don't.

5 Q. Thank you.

6 After you completed this education, what
7 did you do for work?

8 A. I started work as a hospital chaplain.
9 And after that, I did an internal program with
10 Catholic Health Care (sic) Association and moved into
11 Mission Integration.

12 Q. At what point did you move into Mission
13 Integration?

14 A. I moved into Mission Integration in 2008.

15 Q. In 2006. And where was your first
16 position --

17 A. 2008.

18 Q. 2008?

19 A. Yes.

20 Q. And where was that?

21 A. That was at Catholic Health Partners, now
22 called Bon Secours Mercy Health, with the corporate

1 headquarters in Cincinnati, Ohio.

2 Q. And how long were you there?

3 A. I was there for nine years.

4 Q. And after that, where did you go work?

5 A. After that, I moved to -- to Sacramento,
6 California and worked with CommonSpirit Health in
7 Mission Integration.

8 Q. And how long were you there?

9 A. I was there for three years.

10 Q. Thank you. And after that, where did you
11 work?

12 A. After that, I'm currently with University
13 of Maryland Saint Joseph Medical Center.

14 Q. And when did you begin working for Saint
15 Joseph Medical Center?

16 A. I started at the end of 2019, so I would
17 say that my getting to know myself around was the
18 year 2020.

19 Q. Did you remember the month that you began
20 working in your current position?

21 A. Yes, I do. I started at the end of
22 October 2019.

1 Q. And at the end of October 2019, you were
2 vice president for Mission Integration?

3 A. Yes.

4 Q. Do you know someone named Keith Riddle?

5 A. No.

6 Q. Was Keith Riddle vice president for
7 Mission Integration before you?

8 A. I --

9 MS. WIGGER: Object to form.

10 You may answer now.

11 A. I heard he was, but I -- I never knew him,
12 neither do (sic) I ever met him.

13 BY MR. GOLDMAN:

14 Q. Okay. Do you know when he stopped working
15 as vice president for Mission Integration?

16 A. I have no idea.

17 Q. Is it okay if I refer to Saint Joseph
18 Medical Center as Saint Joseph's?

19 A. Yeah. You can choose. Either one is
20 fine.

21 Q. Okay. Father Asobi, generally, how would
22 you describe your role as vice president for Mission

1 hospitals beginning with the president to the vice
2 president, Mission Integration and the teaching is
3 centered on Catholic theology, Catholic identity, and
4 the ethical and religious directives, so as the
5 (inaudible) that all Catholic hospitals will adhere
6 to those teachings.

7 Q. And is that entity affiliated with the
8 archdiocese?

9 MS. WIGGER: Object to form.

10 A. It is an independent body from the
11 archdiocese because it's nationwide. Dioceses can
12 belong to the association, but they don't report to
13 the -- to one archdiocese.

14 BY MR. GOLDMAN:

15 Q. Where is the association located?

16 A. It's located in St. Louis, Missouri.

17 Q. Do you know who runs the association?

18 A. I don't know off the top of my head right
19 now who is -- who is the president.

20 Q. But to clarify, it is an independent
21 organization?

22 A. Yes.

1 Q. Is Saint Joseph's accredited by anyone
2 else, aside from what you mentioned as a Catholic
3 hospital?

4 A. Not that I know of.

5 Q. Is Saint Joseph's accredited by the
6 National Catholic Bioethics Center as a Catholic
7 hospital?

8 A. The National Catholic Bioethics, yes, is
9 accredited in the sense that the archdiocese brings
10 them in to do the Catholic evaluations, from time to
11 time, to be sure we keep to the ethical and religious
12 directives and also that we maintain the Catholic
13 identity.

14 Q. Okay. So just to help me understand, how
15 does Saint Joseph's get to call itself a Catholic
16 hospital to the public?

17 MS. WIGGER: Object to form.

18 A. Saint Joseph's calls itself a Catholic
19 hospital based from the founding history.

20 As I said earlier, Saint Joseph's was
21 founded by the Catholic Sisters of St. Francis of
22 Philadelphia. And they moved from Philadelphia over

1 here to Baltimore, then to Towson, and established
2 the hospital in line with the Catholic teaching to
3 provide care to all within the community. And that
4 identity stayed with Saint Joseph's until death.

5 BY MR. GOLDMAN:

6 Q. Aside from the association and the
7 National Catholic Bioethics Center, is there any
8 other organization that Saint Joseph's has to -- gets
9 to call them a Catholic hospital?

10 MS. WIGGER: Object to form.

11 A. Not that I can recall.

12 BY MR. GOLDMAN:

13 Q. Thank you.

14 As part of your job as vice president of
15 Mission Integration, do you have to prepare any
16 regular reports on Saint Joseph's maintaining its
17 Catholic identity?

18 A. I do.

19 Q. When was the last report that you
20 prepared?

21 A. I just recently finished the report that I
22 presented to the archdiocese for the year 2021 where

1 it got to all the activities carried out in the
2 hospital here, and I'm here to meet with the
3 archdiocese for their review.

4 Q. How often do you issue these reports?

5 A. Annually.

6 Q. And what topics do you need to include in
7 them?

8 A. The topics I need to include is: 1) all
9 activities carried out in the hospital to be sure
10 that they are in line with Catholic identity and all
11 the ethics consult (sic) we have to be sure that it's
12 in line with the ethical and religious directives,
13 and then to provide them with services provided by
14 the chaplains to the patients, family members, and to
15 staff.

16 And if we are having any challenges, that
17 will be embedded in the report.

18 Q. And who do you share these reports with?

19 A. I share the report with the president and
20 CEO.

21 Q. You shared the report and that -- sorry --
22 strike that.

1 Do you -- are you referring to Tom Smyth?

2 A. Yes. I share that with Tom Smyth. After
3 he's okay, I submit it to the archdiocese through the
4 chancellor to the archbishop. And then when they go
5 through it, they will invite me for a meeting where
6 we discuss the content of the report.

7 Q. So you share a draft of the report with
8 Tom Smyth?

9 A. Yes.

10 Q. And then you finalize the report?

11 A. Yes.

12 Q. And then you share it with the chancellor?

13 A. I submit it to the chancellor because he
14 is the gateway to the archbishop.

15 Q. And who is the chancellor?

16 A. The chancellor is Dr. Diane Burr.

17 Q. And for whom does Dr. Diane Burr work for?

18 A. Dr. Diane Burr works for the archbishop
19 and the archdiocese of Baltimore.

20 Q. Do you share these reports with anyone
21 else at Saint Joseph's?

22 A. No.

1 Q. Do you share these reports with anyone
2 else at UMMS?

3 A. No.

4 Q. Do you know whether or not Tom Smyth
5 shares these reports with anyone else at Saint
6 Joseph's?

7 A. I -- I don't know. I don't know what's
8 involved in his current space.

9 Q. Thank you. Do you know if Tom Smyth
10 shares them with anyone else at UMMS?

11 A. He doesn't do that because UMMS has
12 nothing to do with the Catholic identity and ERDs we
13 uphold here at Saint Joseph's with this, specifically
14 at Saint Joseph Medical Center.

15 Q. Saint Joseph's is affiliated with the
16 University of Maryland Medical Center System, right?

17 MS. WIGGER: Object to form.

18 A. The affiliation is partnership in the
19 practice of medicine, not in Catholic identity. The
20 University of Maryland Saint Joseph Medical Center is
21 unique and independent in the practice of Catholic
22 theology and in the practice of the ERD and we take

1 no directives from UMMS.

2 BY MR. GOLDMAN:

3 Q. So my question was: Saint Joseph's is
4 affiliated with the University of Maryland Medical
5 System. So yes or no?

6 MS. WIGGER: Same objection to form.

7 A. Yes.

8 BY MR. GOLDMAN:

9 Q. To your knowledge, did Saint Joseph's
10 enter into any formal agreements with the University
11 of Maryland Medical System regarding Saint Joseph's
12 Catholic identity?

13 Yes or no.

14 A. Yes.

15 Q. And how did you learn that?

16 A. I learned that through the Archdiocese of
17 Baltimore.

18 Q. Have you ever reviewed these agreements?

19 A. I have.

20 Q. When was the last time you reviewed these
21 agreements?

22 A. I reviewed it in February of this year.

1 Q. Do you review these agreements regularly?

2 A. I do.

3 Q. To your knowledge, what was the extent of
4 the agreement between Saint Joseph's and University
5 of Maryland Medical System regarding Saint Joseph's
6 Catholic identity?

7 MS. WIGGER: Object to form.

8 You may answer in your personal capacity
9 or personal knowledge.

10 A. Thank you. My understanding, because I
11 wasn't here when the document was put together, I was
12 informed by the archbishop that when UMMS approached
13 Saint Joe's to be part of UMMS, the archbishop made
14 it clear that Saint Joseph Medical Center will remain
15 Catholic in its practice of medicine.

16 If they agreed to that, then the
17 relationship could continue. And there was a
18 document called the definitive agreement that UMMS
19 and the Archdiocese of Baltimore signed that, even
20 though Saint Joseph's was a member of UMMS, it would
21 still remain authentically Catholic.

22 BY MR. GOLDMAN:

1 Q. Does UMMS ensure that Saint Joseph's
2 remains a Catholic institution?

3 MS. WIGGER: Object to form.

4 You may answer in your personal knowledge
5 or personal capacity.

6 A. UMMS has no -- has nothing to do with
7 Saint Joseph's remaining a Catholic hospital. It is
8 between Saint Joseph's and the Archdiocese of
9 Baltimore.

10 BY MR. GOLDMAN:

11 Q. But you just answered -- and feel free to
12 clarify -- that UMMS entered into an agreement to
13 make sure that Saint Joseph's maintained its Catholic
14 heritage; is that right?

15 MS. WIGGER: Object to form.

16 A. UMMS signed a document with the
17 Archdiocese of Baltimore that Saint Joseph's would
18 remain Catholic and Saint Joseph's reports to the
19 archdiocese to be sure that they stay Catholic.

20 BY MR. GOLDMAN:

21 Q. So it's fair to say that UMMS, by
22 contract, ensures that Saint Joseph's maintains its

1 Catholic heritage, right?

2 MS. WIGGER: Object to form. It's a legal
3 conclusion.

4 A. I -- I don't know an answer to that. I
5 just explained the much (sic) I know.

6 BY MR. GOLDMAN:

7 Q. Let me try rephrasing it a different way
8 and then we can move to something else.

9 You testified that you're aware of an
10 agreement between UMMS and the archdiocese, correct?

11 A. Yes.

12 Q. And you also testified that UMMS agreed in
13 that document that Saint Joseph's would maintain its
14 Catholic heritage, correct?

15 MS. WIGGER: Object to form. It's a legal
16 conclusion.

17 Now you may answer. Zoom delay.

18 A. Okay. Yes.

19 BY MR. GOLDMAN:

20 Q. Okay. Thank you.

21 So is it fair to say that by signing that
22 document, as far as you know, having reviewed the

1 documents, UMMS agreed to ensure that Saint Joseph's
2 would maintain its Catholic heritage? Is that fair
3 to say?

4 MS. WIGGER: Object to form. It's a legal
5 conclusion.

6 A. The partnership, as I understand, is Saint
7 Joseph's to practice and remain Catholic and report
8 to the archdiocese, not to report to UMMS that they
9 are practicing the Catholic -- you know, the Catholic
10 faith or the Catholic theology.

11 It is a relationship as I know -- because
12 I haven't talked to anybody in UMMS about Saint Joe's
13 being Catholic. I only talked with the archdiocese,
14 and that's all I know. The link is between myself
15 and -- and Saint Joe's and the archdiocese, nothing
16 with UMMS. Nothing, zero.

17 I haven't talked to anybody in UMMS, but
18 I've consistently had conversations with the
19 archbishop, with the chancellor, with the -- with
20 everybody in the archdiocese regarding Saint Joseph's
21 remaining Catholic. But I have zero conversation
22 with anybody or any executives in UMMS with regard to

1 Saint Joe's remaining Catholic.

2 BY MR. GOLDMAN:

3 Q. Thank you. Earlier you said that part of
4 your job deals with the ethical and religious
5 directives for Catholic Health Care Services; is that
6 correct?

7 A. Yes.

8 Q. Are those referred to as the ERDs?

9 A. Yes.

10 Q. What generally are the ERDs?

11 A. The ER- -- the ERD is a document put
12 together by the entire body of the United States
13 Catholic Bishops Conference, and that document is put
14 together for all Catholic hospitals in the United
15 States to be a document that will guide them in the
16 practice of medicine.

17 Q. And what is the basis for your knowledge
18 about the ERDs?

19 A. The basis of my knowledge is that I
20 studied it. It's part of my education to be the vice
21 president of Mission Integration and I've learned in
22 seminars and workshops for the interpretation of the

1 document and implementation of the document in all
2 Catholic hospitals within the United States.

3 Q. And you mentioned that the ERDs are
4 published by the United States Conference of Catholic
5 Bishops; is that correct?

6 A. Yes.

7 Q. Have you read the entirety of the ERDs?

8 A. I have.

9 Q. And when was the last time you read the
10 entirety of the ERDs?

11 A. I just read it again over the weekend.

12 Q. Wonderful. Me, too.

13 Are the ERDs updated regularly?

14 A. They're updated based on whenever the
15 bishops conference see it -- when they deem that it
16 is time for a review, they will do that, depending on
17 things happening within the society and in our
18 culture. So right now we are working with the sixth
19 edition.

20 We don't know whenever they're ready to
21 come up with the seventh edition, so we are working
22 with this just like we did the -- what do you call

1 that? -- that is used in psychological assessments.

2 Q. And how do you personally stay informed of
3 updates to the ERDs?

4 A. I stay informed by a lot of education that
5 comes from Catholic Health Association because they
6 send us modules of education and we have conferences,
7 and we have one coming in Indianapolis, in Vienna in
8 June.

9 And it's a five-day conference. All we
10 will be discussing within that period will be the
11 ERDs, so we continually educate ourselves on that
12 document.

13 Q. Does Saint Joseph's implement the most
14 updated version of the ERDs?

15 A. Yes, because we have no other choice than
16 to follow the one -- the collective bishops of United
17 States published (sic), so that is the one we are
18 using right now at Saint Joe's.

19 Q. And that is the sixth edition, you said?

20 A. Yes, the sixth edition.

21 Q. Have you provided any training to any
22 staff at Saint Joseph's on the ERDs?

1 A. I have.

2 Q. Are these formal training sessions?

3 A. They are more of an informal session. The
4 formal one I did was with the -- with the -- the
5 Institutional Ethics Committee because every member
6 in the committee needs to be well aware and
7 accustomed to this document. When provided as a hire
8 (sic), we orient them in that document and they'll
9 have a copy.

10 If they have any question of anything they
11 didn't understand in the document, they are free to
12 call or consult with me.

13 Q. To clarify, that is the Institutional
14 Ethics Committee?

15 A. Could you say -- could you say that again?

16 Q. Sure. The description you just gave of
17 the training, was that describing the training to the
18 Institutional Ethics Committee?

19 A. Yes.

20 Q. Okay. Putting aside the Institutional
21 Ethics Committee for a moment, are there any formal
22 training sessions that you've provided to staff at

1 Saint Joseph's?

2 A. I haven't done any formal training except
3 the fact that those documents are provided to all
4 employees.

5 Q. Okay. And is any staff -- putting aside
6 again the Institutional Ethics Committee, is any
7 staff at Saint Joseph's required to attend any
8 training session on the ERDs?

9 MS. WIGGER: Object to form.

10 A. For the University of Maryland Saint
11 Joseph Medical Center, being a Catholic hospital, and
12 also in the definitive agreement signed by Saint
13 Joseph's and also the archdiocese, every employee at
14 Saint Joseph is oriented to the document and the
15 document is permanently on our website where
16 everybody could go print it out and read.

17 And if anybody has any question about any
18 section of the document, they are free to call or
19 have a meeting with me for explanation. It's part of
20 the orientation just like every other orientation we
21 do for all employees. We give them the handbook of
22 the organization. We don't educate them page by page

1 on the handbook.

2 We provide them all this, they go through
3 it. If they have any question in the handbook, they
4 approach HR. The same way we're providing this
5 document, if they have any question, they approach
6 me.

7 BY MR. GOLDMAN:

8 Q. So is it fair to say that an employee of
9 Saint Joseph's, when they start, they receive
10 orientation that includes the ERDs, but after that
11 there's no requirement that they receive training in
12 it?

13 Is that fair to say?

14 MS. WIGGER: Object to form.

15 A. Well, I'm still new here, so I've yet to
16 see how things happen. But the fact is that
17 everybody's oriented. Do you understand what I said?
18 Every organization has a handbook, even the company
19 you work for, and everybody is provided with the
20 handbook.

21 If they have any question, they approach
22 HR. If they have any question with the ERD, they

1 know who to go to, and that has been what I've seen.
2 That has been going on since I've been here.

3 BY MR. GOLDMAN:

4 Q. Understood.

5 Just to confirm, after orientation there
6 is no requirement, as far as you know, that anyone
7 receive any training, correct?

8 A. I don't know the answer to the question
9 because I don't know what happens after that. I
10 haven't been here for a long time to give you an
11 answer beyond what I have just said.

12 Q. In your time at Saint Joseph's, you
13 haven't seen any required formal training, have you?

14 MS. WIGGER: Object to form.

15 A. I have not yet seen.

16 BY MR. GOLDMAN:

17 Q. Okay. And just to clarify, you began in
18 your position as vice president of Mission
19 Integration at the end of 2020?

20 A. At the end of 2019.

21 Q. Okay. Now, does Saint Joseph's give out
22 copies of the ERDs to staff with their orientation?

1 CERTIFICATE OF NOTARY PUBLIC

2 I, SHERRY L. BROOKS, a Notary Public in
3 and for the STATE OF MARYLAND, before whom the
4 foregoing deposition was taken, do hereby certify
5 that the witness whose testimony appears in the
6 foregoing deposition was duly sworn by me; that the
7 testimony of said witness was taken by me in
8 Shorthand at the time and place mentioned in the
9 caption hereof and thereafter transcribed by me; that
10 said deposition is a true record of the testimony
11 given by said witness remotely via Zoom
12 videoconferencing; that I am neither counsel for,
13 related to, nor employed by any of the parties to the
14 action in which this deposition was taken; and
15 further, that I am not a relative or employee of any
16 counsel or attorney employed by the parties hereto,
17 nor financially or otherwise interested in the
18 outcome of this action.

19 

20 SHERRY L. BROOKS
21 Notary Public in and for
22 STATE OF MARYLAND

My commission expires: July 9, 2023

ACKNOWLEDGMENT OF DEPONENT

ASSIGNMENT NO.: J8078715

CASE CAPTION: JESSE HAMMONS - V - UNIVERSITY OF
MARYLAND MEDICAL SYSTEM CORP., ET AL.

DEPONENT: FATHER LOUIS ASOBI

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that I
have read the entire transcript of my Deposition
taken in the captioned matter or the same has been
read to me, and the same is true and accurate, save
and except for changes and/or corrections, if any, as
indicated by me on the DEPOSITION ERRATA SHEET
hereof, with the understanding that I offer these
changes as if still under oath.

Signed on the 23 day of May, 2022.



FATHER LOUIS ASOBI

FATHER LOUIS ASOBI
Hammons vs University of Maryland Medical System

April 11, 2022
107

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108

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